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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

MILTON PRIMER,

Plaintiff(s),

CASE NO.

08 CIV 5032 (SAS) (TH2)

-against-

STIPULATION OF
DISCONTINUANCE

CROWN EQUIPMENT CORPORATION,

Defendant.

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, the attorneys of record for the parties to the above entitled action, that whereas no party hereto is an infant or incompetent person for who a committee has been appointed and no person not a party has an interest in the subject matter of the action, the above entitled action be, and the same hereby is discontinued, with prejudice, without costs to either party as against the other. This stipulation may be filed without further notice with the Clerk of the Court.

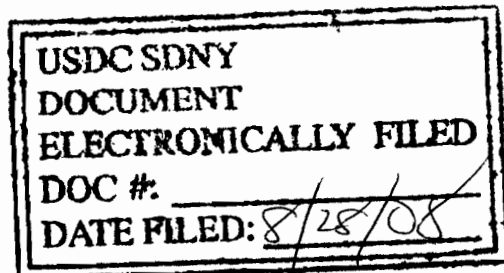
Dated: New York, New York
August 18, 2008

BAINTON MCCARTHY, LLC.

By: _____
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CROWN EQUIPMENT CORPORATION
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SEENER & SEENER

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So Ordered:
Just for usdc
8/28/08